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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

E6M1/0522

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ART UNIT	PAPER NUMBER
2614	2

DATE MAILED: 06/22/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on ________ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), -0- days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☒ Notice of References Cited by Examiner, PTO-892.
2. ☐ Notice re Patent Drawing, PTO-948.
3. ☐ Notice of Art Cited by Applicant, PTO-1449.
4. ☐ Notice of Informal Patent Application, Form PTO-152.
5. ☐ Information on How to Effect Drawing Changes, PTO-1474.
6. ☐ ________

Part II SUMMARY OF ACTION

1. ☒ Claims 1-7 are pending in the application.

   Of the above, claims ________ are withdrawn from consideration.

2. ☐ Claims ________ have been cancelled.
3. ☐ Claims ________ are allowed.
4. ☒ Claims 1-7 are rejected.
5. ☐ Claims ________ are objected to.
6. ☐ Claims ________ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on ________. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on ________ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on ________, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. ________; filed on ________.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

PTOL-326 (Rev. 9-89)

Part III DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

2. Claims 1-7 are rejected under 35 U.S.C. § 103 as being unpatentable over Gromen. Consider claims 1-7, Gromen recites a method for serial transmission in which a word which consists of individual bits is input into a word register, all of the bits are examined sequentially and upon detecting a sequence of bits,

replacing the bits predetermined value and transmitting the value in-place of the bits. Whereby, the apparatus contains a register for storing the bits, detector for sequentially monitoring the bits for consecutive bits, and an output means for transmitting the predetermined value when a match was found (See fig.#1, abstract,summary,col.3,line 10 to col.5,line 65). However, where the Gromen reference refers to a multiplicity of consecutive bits, the claimed invention refers to one two consecutive bits. This fact does not raise the scope of the claimed invention above the teaching of Gromen. Therefore, it would have been obvious to a person with ordinary skill in the art to insert a bit after any amount of consecutive identical bits given the teachings of Gromen because the number of bits being replaced (2 or 8) does not change the scope of the invention.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
Reference Parikh et al. is cited as being pertinent to the claimed invention. Parikh et al. recites means for monitoring the input signal for identical consecutive bits and inserting a zero bit into the data frame once identical consecutive bits have been found.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Webster whose telephone number is (703) 308-6607.

B. Webster
Bwebster

May 2, 1994

STEPHEN CHIN
PRIMARY EXAMINER
GROUP 260